



U.S. House of Representatives Committee on the Judiciary F. James Sensenbrenner, Jr., Chairman

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News Advisory

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Sensenbrenner Introduces Legislation Providing For Additional Federal Judgeships and a Realignment of the Ninth Circuit Court of Appeals

WASHINGTON, D.C. – House Judiciary Committee Chairman F. James Sensenbrenner, Jr. (R-Wis.) today introduced legislation providing for additional federal judgeships and realigning the Ninth Circuit Court of Appeals into 2 separate circuits. H.R. 4093, the “Federal Judgeship and Administrative Efficiency Act of 2005,” is co-sponsored by Rep. Mike Simpson (R-Idaho), who offered the amendment adopted last year by the House to realign the Ninth Circuit.

Chairman Sensenbrenner stated, “Make no mistake, any effort to administratively restructure the federal judiciary must go beyond adding more judgeships and address the administrative inefficiencies caused by the Ninth Circuit’s mammoth size. Realigning the Ninth Circuit has been studied for 30 years – the time for action is now. The House supports a modernization of the Ninth Circuit. It is no longer a question of if, but when.”

“A judiciary that fails in its basic obligation to dispense justice in a timely, fair, and dispassionate manner compromises its own credibility. A court that is too far removed from those whose disputes it is responsible for adjudicating imposes severe costs on those who must appear before it,” added Chairman Sensenbrenner. “This legislation speaks to these concerns by providing for the realignment of the Ninth Circuit Court of Appeals and the establishment of a new Twelfth Circuit Court of Appeals. The Ninth has become so big – in geographic size, in workload, in number of active and senior judges – that it can no longer appropriately discharge its civic functions on behalf of the American people.”

Rep. Simpson said, “Every few decades, Congress must exercise its Constitutional authority to realign the United States Courts of Appeals into more efficient and

manageable circuits that best represent the people within the circuit and provide them with an expeditious judicial process. I want to thank Chairman Sensenbrenner for having the foresight to introduce legislation that will realign the Ninth Circuit in a manner that I believe best represents the people of Idaho and the Western States.”

The Ninth Circuit dwarfs the other Circuits; consider:

- The Ninth has 47 judges, a figure that approaches twice the number of total judges of the next largest circuit.
- The Ninth represents 56-million people, or roughly one-fifth of our nation’s population. This is 25-million more people than the second largest circuit.
- The Ninth encompasses nearly 40% of the geographic area of the United States.

H.R. 4093 creates a new Ninth that will feature California, Guam, Hawaii, and the Northern Mariana Islands. The new Twelfth will consist of the States of Alaska, Arizona, Idaho, Montana, Nevada, Oregon, and Washington.

H.R. 4093 authorizes the President to appoint five new judges to permanent Ninth Circuit seats along with two other judges who will fill temporary seats; the official duty station for these newly authorized judges will be in California. These additions are consistent with requests made by the Judicial Conference and will ensure that future caseload demands on the new Ninth will more closely mirror its judgeship resources.

The last comprehensive judgeship bill that was passed by Congress was enacted in 1990. Since that time, the volume of cases handled by the judiciary has increased substantially.

The Federal Judgeship and Administrative Efficiency Act authorizes the creation of 68 new judgeships - 12 at the circuit court level and 56 at the district courts. In addition, the bill contains authority to create 24 new permanent or temporary bankruptcy judgeships. These new judgeships will benefit districts across America. When confirmed, these new judges will be in a position to help address a growing backlog of cases that threatens to clog the courts and imposes substantial human and economic costs on U.S. citizens.

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